

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOHN S. OLAUSEN,	)	3:13-CV-0388-MMD (VPC)
	)	
Plaintiff,	)	<b><u>MINUTES OF THE COURT</u></b>
	)	
vs.	)	October 2, 2014
	)	
SGT. MURGUIA, et al.,	)	
	)	
Defendants	)	
_____	)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

On September 25, 2014, defendants withdrew their motion for summary judgment (#31) without prejudice and with leave to refile at a later date (#84). Therefore, the court orders as follows:

1. The report and recommendation issued by the Magistrate Judge (#65) on July 29, 2014 is hereby **RESCINDED** in its entirety **as moot**;
2. The court will issue a report and recommendation on plaintiff's motion for partial summary judgment (#48) based on the briefing already filed with the court unless, within ten days, the plaintiff files a notice of withdrawal without prejudice and with leave to refile a dispositive motion at a date to be set by the court;
3. Plaintiff's motion for a hearing (#49) is **DENIED as moot**;
4. Plaintiff's motion for leave to file additional affidavit in support of response to motion to dismiss (#64) is **DENIED as moot**;
5. Plaintiff's motion that the action be stayed for a period of ninety days to allow the parties an opportunity to settle (#69) is **DENIED as moot**;
6. Defendants' motion to strike plaintiff's reply to defendants' opposition to objection to report and recommendation (#70) is **DENIED as moot**;
7. Plaintiff's motion for leave to file a reply to opposition to objection to report and recommendation (#72) is **DENIED as moot**;
8. Plaintiff's motion to strike defendants' motion to dismiss (#31) is **DENIED as moot**;
9. Plaintiff's objection regarding the report and recommendation (#75) is **DENIED as moot**;

10. Plaintiff's motion to defer ruling upon dispositive motion (#76) is **DENIED as moot**;
11. Pursuant to the court's order #83, defendants shall have to and including **Friday, October 17, 2014** to file an opposition to plaintiff's motion leave to amend complaint (#73); thereafter, plaintiff shall have to and including **Monday, October 27, 2014** to file a reply; and
12. The court will issue a new date to file dispositive motions following the ruling on the plaintiff's motion to amend.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By: \_\_\_\_\_/s/\_\_\_\_\_  
Deputy Clerk